

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DARLINGTON AMADASU,	:	Case No. No. C-1-01-210
	:	Judge Dlott
Plaintiff,	:	Magistrate Judge Black
v.	:	
JAMES R. DONOVAN, M.D., <u>et al.</u> ,	:	
Defendants.	:	

THIRD DECLARATION OF JAMES R. DONOVAN, M.D.

James R. Donovan, M.D. declares as follows:

1. I am an Assistant Professor at the University of Cincinnati ("UC") and was the Director of the Residency Program in Occupational and Environmental Medicine and an Assistant Professor throughout the period that Darlington Amadasu participated in UC's Occupational Medicine Residency Program ("OMRP"). I am competent to testify as to the points in this Declaration and do so from my own personal knowledge.
2. Practicum Year residents, when accepted, are not expected to participate in UC's OMRP for significantly more than one year due to the fact that they already possess a MPH degree or its equivalent. Because the Practicum Year Track residents are in the OMRP for such a short period of time, they are ineligible to be promoted to the Chief Resident position. Both Loren C. Tapp ("Tapp") and Robert Gabel ("Gabel") were accepted into UC's OMRP on a Practicum Year Track and continued on a Standard Track throughout the duration of their participation in the program. Both Tapp and Gabel participated in UC's OMRP for significantly more than one year and both worked towards completing their Masters Degrees in

Environmental Health from UC while simultaneously participating in the OMRP. Thus, Tapp and Gabel were eligible for the Chief Resident position while Practicum Year Track participants such as Darlington Amadasu were not.

3. I did not have any of the OMRP residents -- including Amadasu, Tapp, and Gabel -- sign a Graduate Medical Education contract/agreement at anytime during their participation in UC's OMRP in the 1999-2000 term.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 13, 2005.


James R. Donovan, M.D.